

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

TABITHA HOLT, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No. 4:19-cv-00102-MTS
	)	
QUALIFIED TRUCKING SERVICES, INC.,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

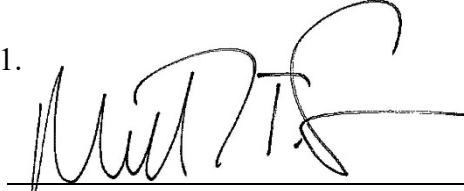
This matter is before the Court on Defendant Qualified Trucking Services, Inc.’s Motion for Costs, Doc. [187], pursuant to Federal Rule of Civil Procedure 54(d)(1), after a jury verdict in favor of Defendant. Neither of the two Plaintiffs has opposed the Motion, and the time to do so has expired. E.D. Mo. L.R. 4.01(B), (F). While Plaintiff Clyde Sutherland did appeal the Judgment entered on the jury’s verdict, Doc. [185], a district court retains the power to award costs even after a party files an appeal on the merits. *See, e.g., TCP Printing Co. v. Enterprise Bank & Trust*, 4:15-cv-00178-JAR (E.D. Mo. Nov. 9, 2017); *Cross v. Ferriero*, 4:13-cv-02338-JMB (E.D. Mo. Sept. 2, 2015); *see also Blakley v. Schlumberger Tech. Corp.*, 648 F.3d 921, 930 (8th Cir. 2011). Because no one filed any objection or opposition to the Motion for Costs, and because the included costs look to be only those recoverable under 28 U.S.C. § 1920, the Court will direct the Clerk to tax the costs claimed in the Motion against Plaintiffs pursuant to Rule 54(d)(1).

Accordingly,

**IT IS HEREBY ORDERED** that Defendant Qualified Trucking Services, Inc.’s Motion for Costs, Doc. [187], is **GRANTED**.

**IT IS FURTHER ORDERED** that the Clerk of Court shall tax costs against Plaintiffs Tabitha Holt and Clyde Sutherland and in favor of Defendant Qualified Trucking Services, Inc. in the amount of \$3,012.10

Dated this 8th day of December, 2021.

A handwritten signature in black ink, appearing to read 'Matthew T. Schelp', written over a horizontal line.

MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE